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SUBJECT: Journalist Freed After Retraction

Ref: Niamey 00702

Journalist Released...

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¶1. Government of Niger officials dropped charges and freed Director of the weekly private newspaper "Le Temoin," Ibrahim Soumana Gaoh, on September 29. Gaoh, arrested on September 20 on charges of defamation against the Minister of Communications and Government Spokesperson Mohamed Ben Omar (reftel), gained release after his newspaper ran a full retraction in its September 28 edition. Post's media contacts told us that this was the result of mediation efforts between the two parties by mutual associates, who got Minister Ben Omar to agree not to press charges if Gaoh printed a retraction.

...After Issuing an Apology

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¶2. The retraction, which began on the front page below the fold and continued inside, apologized for the false accusation linking Minister Ben Omar to a financial scandal at the telecommunications parastatal SONITEL. Le Temoin wrote that its source was unreliable, and that a subsequent journalistic investigation showed that police had never questioned Minister Ben Omar regarding the matter. Article 6-12 of the Penal Code stipulates that the President of the country must grant authorization before a Cabinet member can be summoned for questioning, and according to the article, none was issued. The article pointed out that Minister Ben Omar had called for an audit of SONITEL in 2008, and based on the results, had revoked the license of the Chinese and Libyan shareholders in February 2009.

Comment

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¶3. PD contacts have told the PAO that without a settlement, Gaoh almost certainly faced jail time. It is difficult to ascertain, in a media environment where stories are often run without verification, whether the retraction was motivated by the threat of sentencing or by facts that came to light after publication. Two things are clear, however, after the dramatic front page retraction: the credibility of Le Temoin with the public has been damaged, and private journalists are even more likely to self-censor articles critical of the government. Post will continue to press for both media professionalism and freedom. End comment.

WHITAKER